IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 22071 of 2004

Between:

Vara Israel, S/o. Chittaiah,
R/o. Amujuru, K. Gangavaram mandal, E.G.District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Rajahmundry, E.G.District.
2 The Mandal Revenue Officer, K. Gangavaram, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in trying to evict me from the agricultural land of an extent of Ac.0.35 cents in S.No. 148/3 of Amujuru Village, K. Gangavaram Mandal, E.G.District as illegal, arbitrary and opposed to the principles of natural justice and consequently direct the respondents to assign the said land to the petitioner by giving D-Form Patta.

Counsel for the Petitioner:MR.N.SIVA REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The present writ petition is filed questioning the action of the respondents in trying to evict the petitioner from the agricultural land to an extent of Ac.0.35 cents in S.No.148/3, Amujuru village, K.Gangavaram Mandal, E.G. district.

The petitioner claims to be in possession of the subject land since 1977 and that the said land was given to him under Ek-sall lease by the then Tahasildar of Ramachandrapurm and the petitioner is cultivating the same and eking out his livelihood. The grievance of the petitioner is that due to certain political pressure, the respondents are trying to evict him from the subject land illegally. The petitioner contends that he is in possession of the subject land for the past about 25 years and cultivating the same and there is standing crop of paddy and respondents are trying to evict him from the said land, without even issuing a notice.

Heard learned counsel for petitioner, learned Government Pleader for Revenue. Both the counsel agreed for disposal of the writ petition at the stage of admission.

Since the petitioner claims that he was granted ek-saal patta in the year 1977 and since then he is in possession of the land, the writ petition is disposed of, directing the respondents to follow due procedure prescribed under law, if at all they want to evict the petitioner from subject land. No costs.

_____ N.V.RAMANA,J

1ST DEC, 2004

To

1 The Revenue Divisional Officer, Rajahmundry, E.G.District.
2 The Mandal Revenue Officer, K. Gangavaram, East Godavari District.

3. 2CCs to G.P.for Revenue, A.P.High Court Buildings, Hyderabad (OUT).

4. 2CD copies

TVK

NOTE: CC IN 2 DAYS

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